1st Media LLC v. Napster, Inc. et al

Doc. 28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

1st Media LLC, Plaintiff, vs. NAPSTER, INC. REALNETWORKS, INC. KSOLO, INC. and SLEP-TONE ENTERTAINMENT CORPORATION d/b/a SOUND CHOICE ACCOMPANIMENT TRACKS Defendant(s).	Case # 2:07-CV-56-LDG-GWF **VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY ATTORNEY NOT ADMITTED TO THE BAR OF THIS COURT AND DESIGNATION OF LOCAL COUNSEL** EFFECTIVE JUNE 1, 2004 FILING FEE IS $175.00

David R. Stewart, Petitioner, respectfully represents to the Court:

1. That Petitioner resides at Seattle (city), King (county), Washington (state).

2. That Petitioner is an attorney at law and a member of the law firm of HOWREY, LLP with offices at 525 Market Street, Suite 3600 (street address), San Francisco, CA (city), 94105 (zip code), 415-848-4900 (area code + telephone number). stewartd@howrey.com (*Email address*).

Dockets.Justia.com

3. That Petitioner has been retained personally or as a member of the law firm by Napster, Inc. & RealNetworks, Inc. [client(s)] to provide legal representation in connection with the above-entitled case now pending before this Court.

4. That since April 17, 2002 (date), Petitioner has been and presently is a member in good standing of the bar of the highest Court of the State of Washington (state) where Petitioner regularly practices law.

5. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

Court	Date Admitted	Bar Number
State Bar of Washington	04/17/02	32150
USDC, Western Dist. of Washington	04/2002	
Supreme Court of Illinois	01/18/87	6193401
U.S. Court of Appeals, Federal Circuit	08/2006	

6. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

n/a

7. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars of ever denied admission):

n/a

8. That Petitioner is a member of good standing in the following Bar Associations:

American Bar Association, Washington State Bar Association

9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more than one city) with which Petitioner is associated has/have filed application(s) to appear as counsel under Local Rule IA 10-2 during the past three (3) years in the following matters:

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
Petitioner has not filed any application to appear as counsel under Local Rule IA 10-2 during the past three (3) years. Robert N. Phillips, a member of Petitioner's office filed one application as follows:			
May 25, 2005	Ramirez v. Hilton Hotels Corp. Case No. CV-S-05-0467-RCJ RJJ	USDC	Granted

(If necessary, please attach a statement of additional applications)

10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

11. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

12. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.

Petitioner's Signature

STATE OF CALIFORNIA)
)
COUNTY OF SAN FRANCISCO)

David R. Stewart, Petitioner, being first duly sworn, deposes and says:

That the foregoing statements are true.

Petitioner's Signature

Subscribed and sworn to before me this
14th day of March 2007
Lisa Maria Perez
Notary Public

DESIGNATION OF RESIDENCE ATTORNEY ADMITTED TO THE BAR OF THIS COURT AND CONSENT THERETO.

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate Michael D. Rounds, Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate residence counsel in this action. The address of said designated Nevada counsel is:

Watson Rounds, 5371 Kietzke Lane, Reno, NV 89511 (775) 324-4100

(Street, City, State, Zip Code and Telephone No.)

LISA MARIA PEREZ
Comm. # 1408071
NOTARY PUBLIC - CALIFORNIA
City & County of San Francisco
My Comm. Expires March 29, 2007

By this designation the petitioner and undersigned party(ies) agree that this designation constitutes agreement and authorization for the designated resident admitted counsel to sign stipulations binding on all of us.

APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL

The undersigned party(ies) appoints Michael D. Rounds as his/her/their Designated Resident Nevada Counsel in this case.

COUNSEL FOR REAL NETWORKS
(Party signature)

COUNSEL FOR NAPSTER
(Party signature)

(Party signature)

CONSENT OF DESIGNEE

The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

4734

Designated Resident Nevada Counsel — Bar number

APPROVED:

Dated: this ______ day of ________________, 20___.

UNITED STATES DISTRICT JUDGE